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Case No. 3:20-CV-0534-RCJ-CLB

## ORDER TO FILE CASE MANAGEMENT REPORT

LONA, *et al.*,

Defendants.

Therefore, **IT IS HEREBY ORDERED** that:

- 1) A brief statement of the nature of the case, including a brief description of the claims and defenses;
- 2) The location of potentially relevant documents;

- 1           3)     The discovery each party intends to take, if any;
- 2           4)     Proposed deadlines for the discovery plan and scheduling order;
- 3           5)     Any options or methods for the streamlining and/or bifurcation of discovery
- 4 or the litigation;
- 5           6)     Whether the defense of exhaustion may apply to any claims and whether
- 6 that defense, if successful, would be dispositive of the entire case or certain claims in the
- 7 litigation;
- 8           7)     Whether the party intends to use expert witnesses;
- 9           8)     Whether the party intends to proceed by consent before the magistrate
- 10 judge. Presently, when a civil trial is set before the district judges, any criminal trial set
- 11 that conflicts with the civil trial will take priority, even if the civil trial was set first.
- 12 Continuances of civil trials under these circumstances may no longer be entertained,
- 13 absent good cause, but the civil trial may instead trail from day to day or week to week
- 14 until the completion of either the criminal case or the older civil case. The parties are
- 15 advised that they are free to withhold consent or decline magistrate jurisdiction without
- 16 adverse substantive consequences; and,
- 17           9)     Any immediate or ongoing issues or requests that could require the Court's
- 18 immediate attention or that should be brought to the Court's attention.

19           Upon review of each party's Case Management Reports, the Court will determine

20 whether to schedule a case management conference or to simply issue a Scheduling

21 Order and Discovery Plan. Once a Scheduling Order and Discovery Plan is issued, the

22 dates in the Scheduling Order and Discovery Plan will be firm and no extension shall be

23 given without permission from the Court based on good cause shown.

24           **DATED:** November 15, 2021

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**UNITED STATES MAGISTRATE JUDGE**